

MINUTES – CONTINUATION OF MAY 11, 2015 CITY COUNCIL MEETING FOR CONSIDERATION  
OF A CONDITIONAL USE PERMIT APPLICATION TO ALLOW FOR AN AGE RESTRICTED  
SENIOR HOUSING RESIDENTIAL LIVING FACILITY  
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA  
MAY 19, 2015  
6:00 PM

Pursuant to due call and notice thereof, the continuation of May 11, 2015 City Council meeting for consideration of a recommendation from the Planning Commission regarding a conditional use permit application to allow for an age restricted senior residential living facility including assisted living in an R-3 zoned district was called to order by Mayor Mike Poellinger at 6:00 PM in the La Crescent City Hall, La Crescent, Minnesota, on Tuesday, May 19, 2015. Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Bernie Buehler, Ryan Hutchinson, Brian Krenz, Dale Williams and Mayor Mike Poellinger. Members absent: none. Also present was City Administrator Bill Waller and City Attorney Skip Wieser.

It was the consensus of City Council to recess until 6:40 PM to allow the Planning Commission to finalize and make a recommendation to the City Council.

The Meeting reconvened at 6:52 PM with all members present.

Planning Commission Chairman, Don Smith, reviewed with City Council all of the findings and conditions for the conditional use permit. The Planning Commission is recommending approval with conditions. Representatives of SpringBrook Village discussed the project with City Council. Following discussion, Member Krenz made a motion, seconded by Member Williams, as follows:

**MOTION TO CHANGE #15 OF THE PROPOSED CONDITIONS TO THE NUMBER OF INDEPENDENT LIVING UNITS TO BE 11 INITIAL AND 19 AT BUILD OUT AND ALSO THAT PARKING TO BE AMENDED TO REFLECT AT BUILD OUT PARKING SPACES OF 93 SPACES WHICH WILL BE ADDRESSED IN THE DEVELOPMENT AGREEMENT.**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

In recommending the approval of the conditional use permit for SpringBrook Village, the Planning Commission made the following findings of fact:

1. The use is contemplated as Conditional Use in the R-3 zoning district. Said use will not be injurious to the use and enjoyment of other property in the immediate vicinity that already exists. There will be no diminution or impairment of adjoining property values.

2. The use will not impede or prohibit normal and orderly development of surrounding vacant property. There is no vacant property immediately adjoining the subject property to be developed.
3. Adequate utilities and access will be provided. The developer will provide 93 parking spaces based on the following formula: 38 for Independent living (18 within garages); 20 for staff; 25 for assisted living; 10 for visitors
4. The use will not cause disturbance to neighboring properties.
5. The use is not in conflict with the policies of the City of La Crescent.
6. The use will not cause traffic hazards or congestion.
7. The structure and site will have an appearance that will not have an adverse effect on adjoining properties.
8. The use is consistent with the purposes of the zoning code and purposes of the zoning district for age restricted senior housing.

In making the recommendation to City Council for approval of the conditional use permit, it is contingent upon the following conditions:

1. That the Developer enter into a Development Agreement with the City addressing the following issues:

- a. Street width and on street parking.
- b. Developer to provide definitions of the following terms:
  - i. Independent Living;
  - ii. Assisted Care; and
  - iii. Memory Care.

Said items to be defined by State Statute, if any.

- c. Developer to provide any necessary public easements for municipal utilities, along with appropriate performance bonds for said utilities. Water Main installed shall “loop” or connect with the Main located on Rosewood Drive.
- d. Building construction style and materials shall comply with City Ordinances, unless Developer requests and obtains a Variance from the requirements of the Ordinance.
- e. Access to site to be provided by private right of way and designed by Developer, subject to approval of City Engineer. The right of way to be constructed and maintained at owner’s sole expense. Developer shall construct sidewalks in accordance with City Standards and provide public easements for said sidewalks.
- f. Developer obtaining a storm water construction site or “NPDES” permit from the Minnesota Pollution Control Agency, or other Governmental agencies as necessary.
- g. A Utility Plan, Storm Water Plan, Site Grading Plan, Landscape Plan, Building Plans, Elevations and Specifications will all be prepared by the Developer and reviewed and approved by the City’s Engineer. City to pay its own expense to review and inspect public infrastructure.

- h. That Developer not request any Tax Increment Financing (TIF), tax abatement, or any form of assistance from City.
2. Developer shall obtain all building permits from City and commence construction no later than December 1, 2015.
3. No subdivision of the real property, shall take place without the written consent of the City, and any subdivision shall comply with all applicable subdivision, and other zoning regulations.
4. The two existing legal descriptions of record shall be combined into one.
5. Applicant should provide a landscape plan showing placement and type of trees, plantings, and landscape barriers.
6. All vehicles accessing the site during the construction phase will not use Rosewood Drive to access the construction site.
7. Employees at the Senior Housing facility will be instructed to not access the site using Rosewood Drive.
8. Houston County Engineer shall approve all access/connection points with County Road 25.
9. All deliveries to the Spring Brook Village will be between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. All deliveries, including garbage service, will not access the Spring Brook Village site by way of Rosewood Drive.
10. All exterior lighting shall be downcast, cut-off type fixtures. No light source shall be more than 12 feet above ground. All lighting shall be approved by City Engineer and City Administrator and shall be designed so as not to interfere or disturb adjoining property owners.
11. All entrance signs shall comply with the City sign ordinance.
12. Sidewalk is required along County Highway 25, and on both sides of the proposed street, shall be constructed within the public road right of way with the property owner to be solely responsible for maintenance of the sidewalk. If sidewalk not constructed within the public road right away, Developer shall provide a public easement for use of the sidewalk. In any event, the sole cost of construction and maintenance of the sidewalk shall be the Developers.
13. Dumpster and storage areas to be appropriately screened from the public. The areas should aesthetically appear consistent with the primary structure.
14. Prior to issuance of Building Permit, or other city approvals, all Plans in 1(g) would be reviewed at Joint Meeting between City Council and City Planning Commission.
15. The number of independent living units shall be 11 initial and 19 at build out.
16. The number of assisted living units shall be 22 initial to 50 at build out.

17. The number of memory care units shall be 28 initial and 52 at build out.
18. The Applicant will abide by all representations made by the Applicant or their agents made during the permitting process, to the extent those representations were not negated by the Planning Commission or City Council and to the extent they are not inconsistent with the spirit of letter explicit conditions of the conditional use permit.
19. The Applicant complies with all applicable federal, state and local regulations.

Following discussion, Member Krenz made a motion, seconded by Member Williams, as follows:

**MOTION TO ADOPT THE FINDINGS OF FACT WITH CONDITIONS REACHED BY THE PLANNING COMMISSION AT ITS MEETING ON MAY 19, 2015 AND FOLLOWING A PUBLIC HEARING RECOMMENDING TO THE CITY OF LA CRESCENT TO APPROVE THE CONDITIONAL USE PERMIT FOR THE SPRINGBROOK VILLAGE.**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

Member Williams then made a motion, seconded by Member Krenz, to adjourn the meeting.

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
Ryan Hutchinson	Yes
Brian Krenz	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried and the meeting duly adjourned at 7:29 PM.

APPROVAL DATE: \_\_\_\_\_

SIGNED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Administrator